

WILLMAR CITY COUNCIL PROCEEDINGS
MUNICIPAL AUDITORIUM
MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA
& BY ELECTRONIC MEANS (GOTO MEETING)

June 7, 2021
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Thomas Butterfield, Michael O'Brien, Justin Ask, Vicki Davis, and Audrey Nelsen. Present 8, Absent 1. Council Member Plowman was excused from the meeting.

Also present were Police Chief Jim Felt, Finance Director Steve Okins, Interim Public Works Director Gary Manzer, Planning and Development Services Director David Ramstad, Fire Chief Frank Hanson, Parks and Recreation Director Rob Baumgarn, Interim Human Resource Director Nancy Miller, City Clerk Judy Thompson, and City Attorney Robert Scott.

Additions/deletions to the agenda were: Council Member Fagerlie asked to have John Kellen added to the Human Rights Commission, for information only, and; asked that Agenda Item No. 20 be moved up as Item No. 11.

Council Member Fagerlie moved to approve the agenda, as amended. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of May 17, 2021
- B. Special City Council Minutes of May 13, 2021
- ~~C. Special City Council Minutes of May 27, 2021~~
- D. Willmar Municipal Utilities Commission Minutes of May 24, 2021
- E. Planning Commission Minutes of May 19, 2021
- F. Accounts Payable Report of May 13 – May 26, 2021
- G. Consider State Temporary Liquor Permits Willmar Lakes Rotary Club
- H. Parks and Recreation Board Minutes of April 21, 2021
- ~~I. Miscellaneous Finance Reports~~
- J. Committee Appointments
 - Zoning Appeals Board – Carol Laumer and Dylan Erickson-Thoemke
 - Planning Commission – Steven Dresler
- K. Building Report for the Month of May, 2021
- L. Willmar Lakes Area CVB Minutes of April 20, 2021
- M. Committee Appointment
 - Human Rights Commission - Jonathan Dahl

Council Member Fagerlie offered a motion to introduce **Resolution No. 2021-121 Approving Consent Agenda Items**. Council Member Ask asked that Item C. be removed for discussion. Council Member Asmus asked that Item I. be removed for discussion. Council Member Nelsen seconded the motion to approve the consent agenda, with removal of Items C., and I., which carried on a roll call vote of Ayes 7, Noes 0.

Council Member Ask asked a correction be made on the minutes from the May 27, 2021 Special City Council meeting. He noted Council Member Butterfield voted "Aye" on the negotiation strategy and parameters of an employment contract with Mr. Schoening, rather than "No", as stated in the packet.

Council Member Ask then offered a motion to approve Item C. with the correction made. Council Member Fagerlie seconded the motion which carried.

Council Member Asmus asked for clarification regarding proposed capital improvement expenditures for Waste Treatment Plant boiler replacement in the amount of \$36,576.00 and pressure washer purchase of \$7,726.28. Finance Director Okins stated this would come from other expenditures or budgeted capital improvements. He stated he would follow up with the Waste Treatment Superintendent or Public Works Director and report back to Council.

Council Member Asmus then offered a motion to approve Item I. Council Member Fagerlie seconded the motion which carried.

At 6:10 p.m. Mayor Calvin opened the public hearing for the 2021 Street Improvements. Bolton and Menk Principle Engineer Jared Voge reviewed and explained the proposed assessments. Funding sources for the 2021 Improvement Projects include monies from municipal state aid and local funding. The property owner assessments proposed will contribute a portion of the financing required. The estimated cost for the 2021 Improvement Projects is \$3,838,818.25.

Allison Pappenfus, 3412 Eagle Ridge Drive East, Willmar, addressed the Mayor and Council requesting information regarding the interest rate, payment process, and parking concerns during construction.

Kari Mobley, 3312 Eagle Ridge Drive East, Willmar, expressed concerns the sewer system will not be able to handle runoff down the hill and flood her property.

City Clerk Thompson stated she received a letter from RockStep Willmar, LLC and read the letter to the Mayor and Council stating formal objection to proposed assessments placed against their property.

There being no others to speak for or against said assessments, Mayor Calvin closed the public hearing at 6:29 p.m. and opened it up for discussion by the Council.

It was determined that no formal action was needed for Ms. Pappenfus' or Ms. Mobley's appeal as they were simply asking for information only.

Council Member Fagerlie offered a motion the objection received from RockStep Willmar, LLC. commercial property, was not well-founded and move forward with the proposed project. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Resolution No. 2021-122 Adopting the Assessment Roll for the 2021 Street and Other Improvements was introduced by Council Member Fagerlie. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

At 6:30 p.m. Mayor Calvin opened the public hearing for vacation of city easements in Water View Business Park. Planning and Development Services Director Dave Ramstad stated a petition was received from Duinick Development, Inc. to vacate city easements on Lots 2, 3, 4, and 5, Block 1, The Water View Business Park. This is necessary to accommodate the approved development of the Preserve on 24th multi-family housing project. The approval of the vacation will be conditioned on the City's approval and developer's recording of a replat dedicating new easements satisfactory to the City and Willmar Municipal Utilities (WMU) in connection with the anticipated development.

There being no one present to speak for or against said vacation, Mayor Calvin closed the public hearing at 6:33 p.m. and opened it up for discussion by the Council.

Council Member Fagerlie introduced **Resolution No. 2021-123 Vacating Drainage, Utility and Other Easements** was introduced by Council Member Fagerlie. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Environmental Specialist Sara Sietsema presented the annual stormwater presentation for the Municipal Separate Storm Sewer System (MS4) general program which gives publicly-owned stormwater infrastructure approval to discharge stormwater to lakes, streams, rivers and wetlands in Minnesota.

Council Member Asmus offered a motion to accept the annual stormwater presentation for MS4 permitting. Council Member O'Brien seconded the motion which carried.

Environmental Specialist Sietsema recommended Council introduce changes to the Willmar Municipal Code Section 17-32 – Discharge Prohibitions and set public hearing for June 21, 2021. She stated the addition to Section 17-32 is required for illicit discharge of grass clippings, leaves, tree branches or other vegetative materials, chemicals, petroleum-based products, excess salt, sand or other materials for snow and ice removal into the storm drain system.

Following discussion, Council Member Fagerlie offered a motion to **introduce an ordinance Amending Chapter 17, Surface Water Management, Article III, Illicit Discharge and Illegal Connection, Section 17-32, Discharge Prohibitions** and set a public hearing for June 21, 2021 at 6:01 p.m. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Council Member Nelsen presented an update on the interim City Administrator plan and recommended appointing Municipal Utilities General Manager John Harren as the short-term interim City Administrator. She stated she and Council Member Ask are working on the list of names submitted to them for further consideration and will report back at the June 21st Council meeting.

City Attorney Robert Scott outlined the conditions of temporary employment of Mr. Harren.

Following discussion, **Resolution No. 2021-124 Approving Temporary Employment of John Harren** was introduced by Council Member Nelsen. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 6, Noes 1. Council Member Fagerlie voted "no".

Finance Director Okins stated bids for the 2021 street improvement projects have been awarded with construction scheduled to begin. Budgets for each project are necessary to track funds available for pay estimates and change orders, and recommended approval of said budgets as presented.

Resolution No. 2021-125 Project No. 2101-A As-Bid Budget Estimated Total Cost \$2,309,571.00 was introduced by Council Member Asmus. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Resolution No. 2021-126 Project No. 2101-B As-Bid Budget Estimated Total Cost \$1,200,000.00 was introduced by Council Member Asmus. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Resolution No. 2021-127 Project No. 2103-A As-Bid Budget Estimated Total Cost \$716,783.00 was introduced by Council Member Asmus. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Parks and Recreation Director Baumgarn presented a request to reallocate \$2,540.00 from the Dorothy Olson Aquatic Center tuck-point project to the Blue Line Arena sound system project.

Resolution No. 2021-128 Reappropriating Funds From Dorothy Olson Aquatic Center Tuck Pointing Project to the Civic Center Blue Line Arena Sound System Project for the Amount of \$2,540.00 was introduced by Council Member Asmus. Council Member Davis seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Parks and Recreation Director Baumgarn presented a request to approve an agreement with Willmar Public School District #347 to utilize each other's facilities per the facility use agreement.

Resolution No. 2021-129 Approving the Agreement with Willmar Public Schools and Willmar Parks and Recreation Department to Utilize Each Other's Facilities Per the Facility Use Agreement was introduced by Council Member Fagerlie. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Parks and Recreation Director Baumgarn presented a request to approve the Flags of Honor Memorial lease agreement. He stated the Parks and Recreation Board has reviewed the plans and recommended moving forward with the agreement.

Resolution No. 2021-130 Approving the Flags of Honor Memorial Lease Agreement was introduced by Council Member Asmus. Council Member O'Brien seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Parks and Recreation Director Baumgarn presented a request to award contracts to contractors and material suppliers recommended by Marcus Construction (Construction Manager) for each bid package and authorize the Mayor and City Administrator to sign on behalf of the City of Willmar all contract award letters and letters assigning the right to enter such contracts to the Construction Manager for the Swansson Field project, and accepting Marcus Construction's Guaranteed Maximum Price Proposal.

Resolution No. 2021-131 Accepting Bids and Quotes for Swansson Fields Project Bid Packages and Awarding and Assigning Contracts was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Resolution No. 2021-132 Accepting Construction Manager's Guaranteed Maximum Price Proposal for the Swansson Field Project was introduced by Council Member Asmus. Council Member Fagerlie seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Interim Human Resource Director Miller presented a request to proceed with filling Human Resource Director position.

Following discussion, Council Member Asmus offered a motion to authorize Interim Human Resource Director Nancy Miller to negotiate an employment offer to fill the vacant Human Resource Director position, following recommendation of the City Administrator. Council Member O'Brien seconded the motion which carried, on a roll call vote of Ayes 5, Noes 2. Council Members Fagerlie and Butterfield voted "no".

Environmental Specialist Sietsema presented a request to award Project No. 2110-A Downtown Sanitary Sewer Lining to Hydro-Klean in the amount of \$195,922.00 and authorize signatures on the agreement.

Resolution No. 2021-133 Awarding Project No. 2110-A to Hydro-Klean in the Amount of \$195,922.00 was introduced by Council Member Fagerlie. Council Member Davis seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Interim Public Works Director Manzer presented a request to award Project No. 2103-A to Duinick, Inc. in the amount of \$651,620.81 and authorize signature on the agreement.

Resolution No. 2021-134 Awarding Project No. 2103-A to Duininck, Inc. in the Amount of \$651,620.81 was introduced by Council Member Fagerlie. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 7, Noes 0.

Mayor Calvin opened a discussion to consider a full-time engineering services contract with Bolton and Menk. A lengthy discussion was held with no action taken at this time. Consensus of the Council was to hire an Administrator prior to discussing this matter further.

Mayor Calvin offered the following comments: "Kudos" to Parks and Recreation Director Baumgarn and staff for the event held yesterday at the Civic Center; "Kudos" to Public Works Superintendent Manzer for quick response to a report of a boat motor hitting a rock in the lake and his staff marked it to prevent others from hitting it.

Council Member Fagerlie offered the following comments: Youth 9 – 14-year old baseball tournament will be held this weekend, Friday through Sunday, and hotels are full.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Asmus seconding the motion which carried. The meeting adjourned at 8:35 p.m.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
SECRETARY TO THE COUNCIL

RESOLUTION NO. 2021-121

APPROVING CONSENT AGENDA ITEMS

Motion By: Fagerlie

Second By: Nelsen

WHEREAS, the City Charter for the City of Willmar requires the City Council approve all Consent Agenda items by resolution.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that all Consent Items of the June 7, 2021 City Council meeting be approved as presented.

Dated 7th day of June, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-122

A RESOLUTION ADOPTING THE ASSESSMENT ROLL FOR THE 2021 STREET AND OTHER IMPROVEMENTS.

Motion By: Fagerlie

Second By: Asmus

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed assessment for 2021 Street and Other Improvements, and has amended such proposed assessment as it deems just;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. Such proposed assessment, the sum of \$938,389.64, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefited by the proposed improvement listed as Project 2101.
2. Such assessments shall be as follows:
 - A. The assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of said installments to be payable with general taxes for the year 2021, collectible with such taxes during the year 2022.
 - B. To the first installment shall be added interest at the rate of (TBD) percent per annum on the entire principal amount of the assessment from the date of funding, approximately July 1, 2021, until December 31, 2022. To each subsequent installment, when due there shall be added interest for one year at said rate on the unpaid principal amount of the assessment.
 - C. The owner of any property so assessed may at any time prior to the certification of the assessment or the first installment thereof to the County Auditor (Treasurer), pay the whole of the principal amount of the assessment on such property with interest accrued to the date of payment to the City Clerk, except that no interest shall be charged if the entire assessment is paid by October 31, 2021, and such property owner may at any time prior to November 15 of any year pay to the City Clerk the entire principal amount.
3. The City Clerk shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Dated this 7th day of June, 2021

/s/ Marv Calvin
MAYOR

ATTEST:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-123

VACATING DRAINAGE, UTILITY AND OTHER EASEMENTS

Motion By: Fagerlie Second By: Asmus

WHEREAS, on May 20, 2021 the City received a petition by Duininck Development, Inc. ("Petitioner") for the vacation of certain drainage, utility and other easements more particularly described below, pursuant to the requirements of Subdivision 4.A of the Willmar City Charter; and

WHEREAS, Petitioner is the sole fee owner of the following described real property situated in the City of Willmar, Kandiyohi County, Minnesota, to wit:

Lots 2, 3, 4, and 5, Block 1, The Water View Business Park, Kandiyohi County, Minnesota (the "Property"); and

WHEREAS, Petitioner seeks in its petition the vacation of drainage, utility and other easements situated in the City of Willmar, Kandiyohi County, Minnesota more particularly described as:

All drainage, utility and other easements lying on, over, under and across Lots 2, 3, 4 and 5, Block 1, The Water View Business Park, Kandiyohi County, Minnesota, previously dedicated, conveyed or granted on the recorded plat of The Water View Business Park (the "Easements"); and

WHEREAS, a public hearing on the proposed vacation of the Easements was ordered by Willmar City Council in its Resolution No. 2021-119, dated May 27, 2021, and thereafter conducted by the Willmar City Council on June 7, 2021, pursuant to Subdivision 6 of Section 9.01 of the Willmar City Charter; and

WHEREAS, mailed notice of the public hearing on the proposed vacation was sent to all record owners of real property located within 600 feet of the Property on May 26, 2021, as evidenced by the Affidavit of Mailing attached hereto as Exhibit A, and notice of the public hearing on the proposed vacation was published in the City's official newspaper on May 26, 2021 and June 2, 2021, as evidenced by the Affidavit of Publication attached hereto as Exhibit B, both in satisfaction of the requirements of Subdivision 6 of Section 9.01 of the Willmar City Charter; and

WHEREAS, the City Council of Willmar finds that it is in the best interest of the City of Willmar to vacate said Easements, subject to the terms and conditions of vacation set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. The above-described drainage, utility and other Easements situated in the City of Willmar, Kandiyohi County, Minnesota are hereby vacated, subject to the condition set forth in Paragraph 2 below.
2. The vacation of the Easements pursuant to Paragraph 1 shall be conditioned on the Petitioner (or Petitioner's successor in interest with respect to the Property) first recording a City-approved replat of

the Property with new drainage, utility and other easements satisfactory to the City Engineer and Willmar Municipal Utilities shown and dedicated to the City thereon.

3. Nothing herein shall be construed as the City Council approving the vacation of any portion of the public rights-of-way identified as 24th Avenue SE or 5th Street SE the Water View Business Park plat.
4. A certified copy of this Resolution shall be provided to the Petitioner on or after the 17th day of June, 2021, provided no appeals of this Resolution are first filed with the City Clerk pursuant to Subdivision 7 of Section 9.01 of the Willmar City Charter, and thereafter filed with the Kandiyohi County Recorder upon the satisfaction of all conditions set forth herein.

Dated this 7th day of June, 2021.

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-124

APPROVING TEMPORARY EMPLOYMENT OF JOHN HARREN

Motion By: Nelsen

Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar that:

5. The employment of John Harren as a temporary employee of the City of Willmar effective and beginning June 8, 2021, as recommended by the City Administrator at the time of the recommendation, is hereby approved.
6. John Harren's employment with the City shall be on a temporary basis and will terminate no later than July 2, 2021.
7. John Harren will not work more than 10 hours per work week for the City unless necessary for the continuance of City operations.
8. John Harren will be paid an hourly rate of \$10.08 per hour for time spent performing work for the City.
9. During his employment, John Harren is authorized to perform the following duties and functions:
 - Regarding the management and supervision of city employees:
 - Approve work schedules/remote work, vacation, leaves, etc. and other personnel approvals for which City Administrator approval is required in the City's personnel policies, procedures, practice, or the like

- Hire positions for which the City Administrator is authorized to hire under City Code and personnel policies
- Coordinate with the City Council on the hiring of department heads for any position(s) for which interviews have already been conducted
- Receive reports from employees of any alleged violations of the City's personnel policies, including the City's Sexual Harassment Prevention and Respectful Workplace policies, and take any responsive action necessary
- Approve City purchases pursuant to the City's purchasing policy.
- Approve council action request forms prepared by department heads and serve as resource for administrative staff in preparing agendas and packets for regular and special city council meetings.
- Interact with the City Attorney's office as necessary on any city issue to ensure legal compliance and protection of the City's and public's interest.
- With the Mayor, execute all contracts in the name of the city.
- Execute such other instruments and documents for which City Administrator authorization is required.
- Perform other duties and responsibilities assigned to the City Administrator in City Charter, ordinance, position description, policy, procedure, practice, or the like that are necessary to exercise for the continuance of City operations.

10. The Mayor is authorized and directed to send a letter to John Harren offering him the position of temporary employee of the City of Willmar pursuant to the terms of set forth herein.

Dated this 7th day of June, 2021.

/s/ Marv Calvin

MAYOR

Attest:

/s/ Judy Thompson

CITY CLERK

RESOLUTION NO. 2021-125
PROJECT NO. 2101-A AS-BID BUDGET
ESTIMATED TOTAL COST \$2,309,571

*Budget Amounts are Essential

Motion By: Asmus

Second By: Ask

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees
 11* Overtime Reg. Employees
 12* Salaries Temp. Employees
 13* Employer Pension Contr.

RECEIVABLES

Assessments Prop Owners	\$357,660
Community Investment/Levy	\$1,304,993
MSA	\$0
MUC	\$351,041

14* Employer Ins. Contr.	WWTF	\$295,877
TOTAL	\$0.00	

TOTAL \$2,309,571

SUPPLIES

20* Office Supplies
 21* Small Tools
 22* Motor Fuels & Lubricants
 23* Postage
 24 Mtce. of Equipment
 25 Mtce. of Structures
 26 Mtce. of Other Improvements
 27 Subsistence of Persons
 28 Cleaning & Waste Removal
 29* General Supplies
TOTAL

\$0.00

FINANCING

Bonds \$1,665,000
 MSA \$0
 MUC \$348,694
 WWTF \$295,877

TOTAL \$2,309,571

GRAND TOTAL \$2,309,571

Dated this 7th day of June, 2021

OTHER SERVICES

33* Travel-Conf.-Schools
 34 Mtce. of Equipment
 35 Mtce. of Structures
 36* Mtce. of Other Impr. \$2,099,610
 37 Subsistence of Persons
 38 Cleaning & Waste Removal
 39* Other Services \$209,961
TOTAL \$2,309,571

/s/ Marv Calvin
 Mayor

Attest:

/s/ Judy Thompson
 City Clerk

OTHER CHARGES

46* Prof. Serv. \$0
 47 Advertising \$0
TOTAL \$0
GRAND TOTAL \$2,309,571

RESOLUTION NO. 2021-126
PROJECT NO. 2101-B AS-BID BUDGET
ESTIMATED TOTAL COST \$1,200,000
 *Budget Amounts are Essential

Motion By: Asmus Second By: Ask

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees
 11* Overtime Reg. Employees
 12* Salaries Temp. Employees
 13* Employer Pension Contr.

RECEIVABLES

Assessments Prop Owners \$326,277
 Community Investment/Levy \$873,723
 MSA \$0
 MUC \$0

14* Employer Ins. Contr.	WWTF	\$0
TOTAL		\$0.00

TOTAL	\$1,200,000
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SUPPLIES

20* Office Supplies	
21* Small Tools	
22* Motor Fuels & Lubricants	
23* Postage	
24 Mtce. of Equipment	
25 Mtce. of Structures	
26 Mtce. of Other Improvements	
27 Subsistence of Persons	
28 Cleaning & Waste Removal	
29* General Supplies	
TOTAL	\$0.00

FINANCING

Bonds	\$1,200,000
MSA	\$0
MUC	\$0
WWTF	\$0

TOTAL	\$1,200,000
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GRAND TOTAL	\$1,200,000
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Dated this 7th day of June, 2021

OTHER SERVICES

33* Travel-Conf.-Schools	
34 Mtce. of Equipment	
35 Mtce. of Structures	
36* Mtce. of Other Impr.	\$1,087,588
37 Subsistence of Persons	
38 Cleaning & Waste Removal	
39* Other Services	\$112,412
TOTAL	\$1,200,000

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

OTHER CHARGES

46* Prof. Serv.	\$0
47 Advertising	\$0
TOTAL	\$0
GRAND TOTAL	\$1,200,000

RESOLUTION NO. 2021-127
PROJECT NO. 2103-A AS-BID BUDGET
ESTIMATED TOTAL COST \$716,783
*Budget Amounts are Essential

Motion By: Asmus

Second By: Nelsen

Code

PERSONNEL SERVICES

10* Salaries Reg. Employees	
11* Overtime Reg. Employees	
12* Salaries Temp. Employees	
13* Employer Pension Contr.	

RECEIVABLES

Assessments Prop Owners	\$254,453
Community Investment/Levy	-\$254,453
MSA	\$716,783
MUC	\$0

14* Employer Ins. Contr.	WWTF	\$0
TOTAL		\$0.00

TOTAL	\$716,783
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SUPPLIES

20* Office Supplies
 21* Small Tools
 22* Motor Fuels & Lubricants
 23* Postage
 24 Mtce. of Equipment
 25 Mtce. of Structures
 26 Mtce. of Other Improvements
 27 Subsistence of Persons
 28 Cleaning & Waste Removal
 29* General Supplies

FINANCING

Bonds \$0
 MSA \$716,783
 MUC \$0
 WWTF \$0

TOTAL	\$716,783
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GRAND TOTAL	\$716,783
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TOTAL	\$0.00
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Dated this 7th day of June, 2021

OTHER SERVICES

33* Travel-Conf.-Schools
 34 Mtce. of Equipment
 35 Mtce. of Structures
 36* Mtce. of Other Impr. \$651,621
 37 Subsistence of Persons
 38 Cleaning & Waste Removal
 39* Other Services \$65,162

/s/ Marv Calvin
 Mayor

Attest:

TOTAL	\$716,783
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/s/ Judy Thompson
 City Clerk

OTHER CHARGES

46* Prof. Serv. \$0
 47 Advertising \$0
TOTAL \$0

GRAND TOTAL	\$716,783
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RESOLUTION NO. 2021-128

REAPPROPRIATING FUNDS FROM DOROTHY OLSON AQUATIC CENTER TUCK POINTING PROJECT TO THE CIVIC CENTER BLUE LINE ARENA SOUNDSYSTEM PROJECT FOR THE AMOUNT OF \$2,540.00

Motion By: Asmus Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar, to re-appropriate \$2,540.00 from the Dorothy Olson Aquatic Center tuck pointing project to the Civic Center Blue Line Arena sound system project.

BE IT FURTHER RESOLVED by the City Council of the City of Willmar to authorize the Finance Director to amend the Capital Improvement Fund Budget as follows:

Decrease: Dorothy Olson Aquatic Center tuck pointing project \$2,450.00

Increase: Civic Center Blue Line Arena sound system project. \$2,450.00

Dated this 7th day of June, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-129

**APPROVING THE AGREEMENT WITH WILLMAR PUBLIC SCHOOLS AND WILLMAR PARKS AND
RECREATION DEPARTMENT TO UTILIZE EACH OTHER'S FACILITIES PER THE FACILITY
USE AGREEMENT**

Motion By: Fagerlie Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar to approve an agreement with Willmar Public School and Willmar Parks and Recreation Department to utilize each other's facilities per the facility use agreement.

Dated this 7th day of June, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

RESOLUTION NO. 2021-130

A RESOLUTION APPROVING THE FLAGS OF HONOR MEMORIAL LEASE AGREEMENT

Motion By: Asmus Second By: O'Brien

BE IT RESOLVED by the City Council of the City of Willmar to adopt a resolution approving the Flags of Honor Memorial Lease Agreement.

Dated this 7th day of June, 2021

/s/ Marv Calvin
MAYOR

Attest:

/s/ Judy Thompson
CITY CLERK

**CITY OF WILLMAR
RESOLUTION NO. 2021-131**

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA ACCEPTING
BIDS AND QUOTES FOR SWANSSON FIELDS PROJECT BID PACKAGES AND AWARDING AND ASSIGNING
CONTRACTS**

Motion By: Fagerlie

Second By: Nelsen

WHEREAS, the City is in receipt of recommendations from its contracted construction manager, Marcus Construction Co., Inc. (the “construction manager”) for awards of contracts for construction and materials for each of the bid packages developed by the City’s contracted architect, Widseth Smith Nolting & Associates, Inc. (the “architect”) in coordination with the construction manager, for the City of Willmar Swanssoon Fields Project (the “project”); and

WHEREAS, the project was to include 5 separate base bid packages to be competitively bid and 19 additional packages of work and/or materials to be awarded either through cooperative purchasing or direct negotiation as detailed herein, and one alternate scope of work (the “alternates”) as follows:

- ALT 1: Swansson Blue Field

WHEREAS, the construction manager’s recommendations for awards of contracts for construction and materials for each of the bid packages for the project is attached hereto as Exhibit A; and

WHEREAS, pursuant to an advertisement for bids, dated March 26, 2021, for each bid package for which competitive bidding was required by the Municipal Contracting Law, Minn. Stat. § 471.345, sealed bids were solicited, received, opened, and evaluated and tabulated by the construction manager according to the law’s requirements, with the recommended contract award shown on Exhibit A hereto in all cases being to the contractor who submitted the lowest responsible bid that was responsive to the specifications and compliant therewith in all material respects; and

WHEREAS, for some bid packages, the recommended contract award is to a contractor or supplier pursuant to a contract on the State of Minnesota’s Cooperative Purchasing Venture (CPV) pursuant to Minn. Stat. § 471.345, subd. 15; these recommended awards are identified on the spreadsheet enclosed herewith with the “CPV” notation next to the recommended party’s name; and

WHEREAS, for bid packages with an estimated value below the threshold at which competitive bidding is required by the Municipal Contracting Law, the recommended contract award is to a contractor or supplier that best satisfies the City’s requirements at the best value to the City, as determined by the construction manager in consultation with the City and through direct negotiation after evaluating two or more quotations for the cost of the specified work or materials; and

WHEREAS, the City Council has retained the discretion to determine the final project scope by deciding if the alternate is to be included in the final project; and

WHEREAS, the City Council now desires to determine the final scope of the project to be awarded to the successful bidders and other recommended contractors or suppliers, accept the construction managers’ contract award recommendations and award contracts for each bid package for the project consistent with the construction manager’s recommendations shown on Exhibit A hereto, and authorize the assignment of the right to enter into such contracts on the City’s behalf to the construction manager, pursuant to the terms of the City’s contract with the construction manager.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. The City Council hereby determines that the final scope of the project shall include one alternate scope of work included in the project design as an addition to the base bid packages, as follows:.

ALT 1: Swansson Blue Field

2. The City Council hereby accepts the recommendations of the construction manager indicated in Exhibit A hereto and hereby adopts the construction manager's evaluation of the bids, quotations, and state contracts through the CPV responsive to the base bid packages and alternate scopes of work as its own.
3. The City Council hereby makes the following contract awards for each of the base bid packages, as modified by the alternate scopes of work awarded in paragraph 1 above, pursuant to the construction manager's report and recommendations:

- | | |
|--|---|
| a. Bid Package #1 – Demo, Earthwork and Utilities:
<i>Contractor Name: Duininck, Inc.</i> | <i>Total Contract Value: \$598,826.00</i> |
| b. Bid Package #2 – Electrical:
c. <i>Contractor Name: Paul's Electric</i> | <i>Total Contract Value: \$23,010.00</i> |
| d. Bid Package #3 – Mechanical & Plumbing:
<i>Contractor Name: Plumbing & Heating of Willmar Inc.</i> | <i>Total Contract Value: \$35,350.00</i> |
| e. Bid Package #4 – Fencing:
<i>Contractor Name: Andi's Fenceall</i> | <i>Total Contract Value: \$91,122.11</i> |
| f. Bid Package #5 – Irrigation:
<i>Contractor Name: St. Cloud Sprinkler Co. Inc.</i> | <i>Total Contract Value: \$27,240.00</i> |
| g. Bid Package #6 – Concrete Work:
<i>Contractor Name: Riggs Bros. Construction LLC</i> | <i>Total Contract Value: \$30,584.00</i> |
| h. Bid Package #7 – Masonry:
<i>Contractor Name: Quigley & Sons Masonry Inc.</i> | <i>Total Contract Value: \$45,000.00</i> |
| i. Bid Package #8a – Wood Materials:
<i>Contractor Name: Perkin Lumber Company, Inc.</i> | <i>Total Contract Value: \$26,092.83</i> |
| j. Bid Package #8b – Wood Labor:
<i>Contractor Name: Leindecker Construction</i> | <i>Total Contract Value: \$11,000.00</i> |
| k. Bid Package #9 – Metals:
<i>Contractor Name: Koronis Fabricating Inc.</i> | <i>Total Contract Value: \$11,621.00</i> |
| l. Bid Package #10 – Painting:
<i>Contractor Name: Colorful Concepts Painting</i> | <i>Total Contract Value: \$5,517.00</i> |
| m. Bid Package #11a – Specialties:
<i>Contractor Name: The Tenth Division</i> | <i>Total Contract Value: \$1,077.00</i> |

- n. Bid Package #11b – Specialties/Signage:
Contractor Name: Quick Signs *Total Contract Value: \$398.00*
- o. Division 01 – General Requirements (Construction Cleaning):
Contractor Name: Commercial Cleaning Service *Total Contract Value: \$750.00*
- p. Division 01 – General Requirements (Construction Staking):
Contractor Name: Bonnema Runke Stern, Inc. *Total Contract Value: \$6,000.00*
- q. Division 01 – General Requirements (Temporary Fencing):
Contractor Name: Andi's Fenceall *Total Contract Value: \$12,175.00*
- r. Division 07 – Thermal and Moisture Protection:
Contractor Name: Right Way Caulking, Inc. *Total Contract Value: \$3,590.00*
- s. Division 08 – Openings (Walk Doors/Windows):
Contractor Name: Mid Central Door *Total Contract Value: \$3,008.59*
- t. Division 08 – Openings (Overhead Doors):
Contractor Name: American Door Works-Willmar *Total Contract Value: \$5,040.00*
- u. Division 11 – Equipment (Athletic Field Equipment-Cooperative Purchasing Venture(CPV)):
Contractor Name: Sportsfield Specialties *Total Contract Value: \$196,033.87*
- v. Division 11 – Equipment (Metal Countertops):
Contractor Name: LSV Metals, Inc. *Total Contract Value: \$11,043.91*
- w. Division #12 – Furnishings (Turf Fields-Cooperative Purchasing Venture(CPV)):
Contractor Name: Field Turf *Total Contract Value: \$121,731.49*
- x. Division 12 – Furnishings (Scoreboard-Cooperative Purchasing Venture(CPV)):
Contractor Name: Daktronics *Total Contract Value: \$16,343.15*
- y. Division 13 – : Special Construction (Stadium Seating-Cooperative Purchasing Venture (CPV))
Contractor Name: SAFFE LLC-"Stadium Steve" *Total Contract Value: \$239,096.00*

4. The City Council hereby authorizes and directs the Mayor and City Administrator to execute the letters of award, substantially in the form attached hereto and incorporated herein by reference as Exhibit B, to the contractors and suppliers named in paragraph 3 above, confirming the contract awards and directing the contractors and suppliers to enter into a construction contract or materials supply contract with the construction manager, as assigned hereafter by the City, on the approved contract forms as contained in the Bidding Documents; and
5. The City Council hereby adopts, assigns, authorizes and directs the Mayor and City administrator to execute the assignment letters, substantially in the form attached hereto and incorporated herein by reference as Exhibit C, to the construction manager, assigning the City's right to enter into the construction contract with the above-named contractors and materials suppliers, to the construction manager.

Adopted by the City Council of the City of Willmar on June 7th 2021.

Approved:

/s/ Marv Calvin

Mayor

Attested:

/s/ Judy Thompson

City Clerk

**CITY OF WILLMAR
RESOLUTION NO. 2021-132**

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WILLMAR, MINNESOTA ACCEPTING
CONSTRUCTION MANAGER'S GUARANTEED MAXIMUM PRICE PROPOSAL FOR THE SWANSSON FIELD
PROJECT**

Motion By: Asmus

Second By: Fagerlie

WHEREAS, the City is in receipt of the Guaranteed Maximum Price Proposal ("GMP proposal") for the for the City of Willmar Swansson Fields Project (the "project") from its contracted construction manager, Marcus Construction Co., Inc. (the "construction manager"), pursuant to the requirements of Section 2.2 of that certain AIA A133 (2009) Standard Form of Agreement between the Owner (City of Willmar) and Construction Manager as Constructor (Marcus Construction Co., Inc.), dated March, 2020 (the "construction manager at risk contract"); and

WHEREAS, the construction manager's GMP proposal includes the construction manager fees, contingencies, and the cost of the work as defined in the construction manager at risk contract, and is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the City Council has reviewed the construction manager's GMP proposal, approves the same as to form and finds it to be consistent with the requirements of the construction manager at risk contract; and

WHEREAS, the City Council has determined that the final scope of the project shall include one alternate scope of work included in the project design as additions to the base bid packages as follows:

Alternate one: Blue Field improvements -- \$189,987.48; and

WHEREAS, the City Council has awarded the contracts for each of the base bid packages for the project, as modified by the alternate scope of work approved by the City Council described above, and assigned the right to enter into such contracts to the construction manager, consistent with the requirements of the construction manager at risk contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that:

1. The City Council hereby approves the construction manager's GMP proposal for the project base bid of \$1,587,889.00.
2. The City Council hereby approves the construction manager's GMP proposal for each of the alternate scopes of work included by the City Council in the final scope of the project as follows:
 - a. Alternate one: Blue Field \$183,987.48
3. The total GMP approved by the City Council herein, representing the base bid packages as modified by the alternate scopes of work included by the City Council in the final scope of the project, is \$1,771,876.48.
4. The City Council hereby authorizes and directs the Mayor and City Administrator to execute on the City's behalf any document(s) necessary to confirm the City's approval of the construction manager's GMP proposal consistent with the terms of this Resolution.
5. The GMP proposal as approved by the City Council herein shall be included in the total guaranteed maximum price under the construction manager at risk contract for all of the local option sales tax projects (comprised of the Recreation Fields project, the Swansson Field project, and the Recreation and Events Center project).

Adopted by the City Council of the City of Willmar on June 7, 2021.

Approved:

/s/ Marv Calvin

Mayor

Attested:

/s/ Judy Thompson

City Clerk

RESOLUTION NO. 2021-133

A RESOLUTION AWARING PROJECT NO. 2110-A TO HYDRO-KLEAN IN THE AMOUNT OF \$195,922.

Motion By: Fagerlie

Second By: Davis

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Hydro-Klean for Project No. 2110-A is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$195,922.

Dated this 7th day of June, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk

RESOLUTION NO. 2021-134

A RESOLUTION AWARDDING PROJECT NO. 2103-A TO DUININCK, INC. IN THE AMOUNT OF \$651,620.81.

Motion By: Fagerlie

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Duininck, Inc. for Project No. 2103-A is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$651,620.81.

Dated this 7th day of June, 2021

/s/ Marv Calvin
Mayor

Attest:

/s/ Judy Thompson
City Clerk